

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
Koji ABE, et al) Confirmation No. 7810
Application No. 10/579,249) Examiner: Laura S. Weiner
Filed: May 12, 2006) Group Art Unit: 1795
For: NON-AQUEOUS ELECTROLYTIC SOLUTION)
AND LITHIUM SECONDARY BATTERY)

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Mailstop: Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Election/Restriction Requirement mailed October 16, 2009,
Applicants respond as follows:

REMARKS

In response to the Office Action mailed October 16, 2009, Applicants hereby elect without traverse, Group II, Claims 8-17, 19 and 21, drawn to an electrolytic solution comprising a cyclic carbonate compound, a linear carbonate compound, a cyclohexylbenzene compound and further comprising 0.01-3 wt% a branched alkyl benzene compound, a lithium battery and a method of using the battery.

Consideration and allowance of the instant application are now respectfully requested.

Respectfully submitted,

By: /Jeffrey L. Costellia, Reg.#35,483/
Jeffrey L. Costellia

NIXON PEABODY LLP
Suite 900, 401 9th Street, N.W.
Washington, D.C. 20004-2128
(202) 585-8000